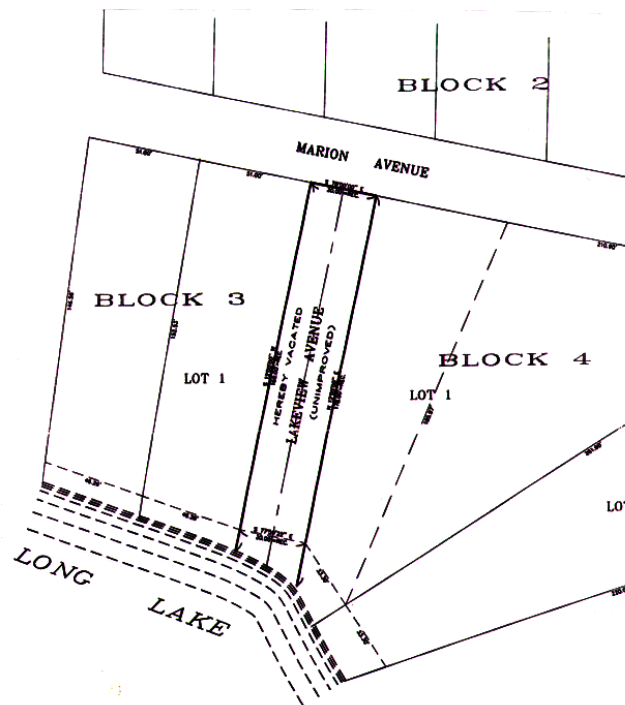


# Street Vacation Process



Lake County Department of Planning, Building and Development  
500 W Winchester Road • Libertyville, Illinois 60048  
Telephone (847) 377-2600 • Fax (847) 948-5744  
E-mail: [LCPermits@lakecountyil.gov](mailto:LCPermits@lakecountyil.gov)

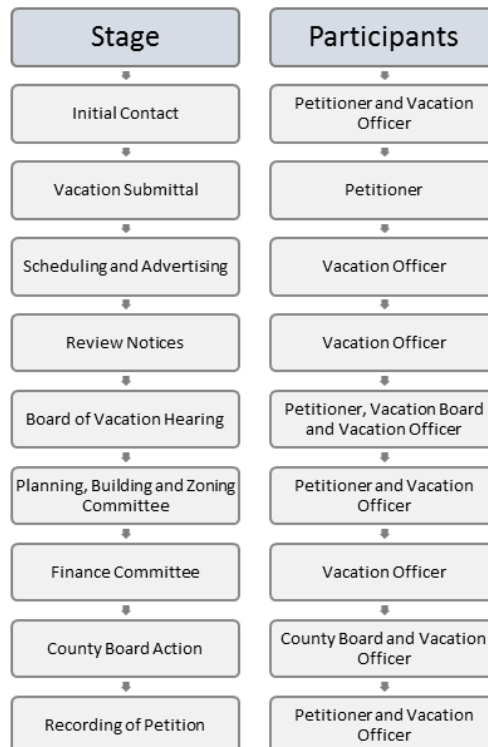
**Director: Eric Waggoner**

## GENERAL PROCEDURE FOR STREET VACATIONS

### A. Information to be submitted by the Petitioner

1. **Petition (sample Petition in packet)**  
Original Petition plus 20 copies.
2. **Deed(s)**
  - Deed of Property Ownership – *Certified copy of the original deed for each petitioner reflecting his or her ownership and their eligibility to participate in the vacation process. (May be obtained from Recorder of Deeds or personal records)*
  - Conveyance Deed for each petitioner (*Deed represents the conveyance of right-of-way from the County to each petitioner*) (sample Deed in packet)
3. **Copy of Original Subdivision Plat or Plat of Vacation:** *The petition shall include a copy of original plat of subdivision that created right-of-way to be vacated (plat may be obtained from the County Recorder) or a Plat of Vacation prepared by an Illinois Registered Land Surveyor.*
4. **County Clerk Certificate (sample Certificate in packet)**  
*Original County Clerk's Certificate for each parcel adjacent to the right-of-way being vacated. The certificate is used to certify that there are no outstanding property tax payments.*
5. **Assessed Valuation (From County or Township Assessor)**  
*Certified copy of the assessed valuation for each parcel adjacent to the right-of-way being vacated for each petitioner participating in the vacation process.*
6. **Filing Fee**  
Payable to "Treasurer of Lake County", please review the latest department fee schedule. You will be billed later for the actual cost of publishing the legal notice.

### B. Vacation Process (Approx. 3-4 months)



**SAMPLE PETITION FOR VACATION**

**TO THE COUNTY BOARD,  
LAKE COUNTY, WAUKEGAN, ILLINOIS.  
TO THE CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:**

Your petitioners, \_\_\_\_\_

\_\_\_\_\_bei

ng the owners of certain land in **(give name of subdivision)** and,

Your petitioner(s) further represent(s) that they are the sole legal owner(s) of:

**(Insert legal description of property)**

and do hereby petition your Honorable Board to approve the attached Deeds of Vacation and to revoke, annul, vacate and set aside that part of said plat of subdivision as follows:

**(Give legal description of street, alley or portion of subdivision to be vacated.)**

Include this sentence at the end of the description: **"and as more fully set forth on the plat attached."**

Your petitioner(s) further represent(s) that there are no conflicting interests; that they are the sole owner(s) of all lots adjacent to said (alley) or (street) or (within that portion of the subdivision to be vacated).

Your petitioner(s) indemnify and hold harmless the County of Lake for damages resulting to any person or persons, which may be incurred due to such vacation.

Your petitioner(s) further represent that the (street), (alley), (subdivision), or (portion of a subdivision) is not needed for public use and that there is no public need, necessity, or interest in said (street), (alley), (subdivision), or (portion of a subdivision). **NOTE: The petitioners must state in this paragraph whether or not the subject property has been improved or used in any manner.**

Respectfully submitted,

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Petitioner

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of

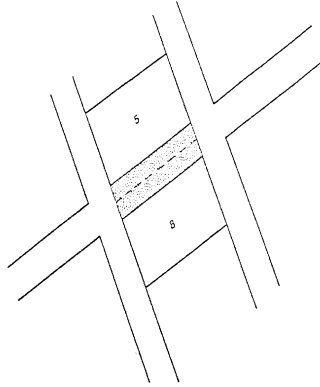
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

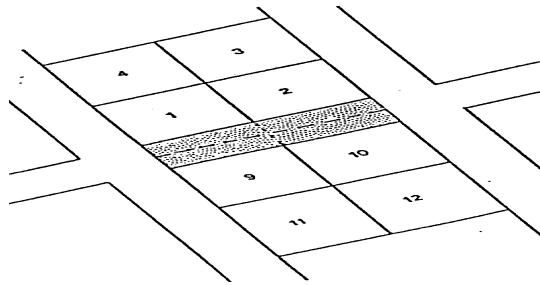
Notary Public

**NOTE:** In the event that the petition is for vacation of a subdivision or a portion of a subdivision, the language throughout this petition should be changed to conform to your request. Choose whichever term applies to your petition (i.e. street, alley, resubdivision or portion of a subdivision).

## **SAMPLES OF DIVIDING A STREET/ALLEY**



Example #1. If a 30' x 200' (alley/street) were vacated and there were two adjoining property owners, then each owner would receive a 15' x 200' strip in separate deeds. Each of the vacated alley segments will be consolidated into the adjacent parcel for each petitioner.



Example #2: If more than two owners are adjacent to the vacated area, each owner will receive his/her proportional share of the vacated (alley/street) adjoining their property and is responsible for the purchase cost of the right-of-way. Each of the vacated street segments will be consolidated into the adjacent parcel for each petitioner.

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### **FORMULA FOR CALCULATING PURCHASE COST OF RIGHT-OF-WAY**

$$\frac{\text{Land Valuation}}{\text{Acreage}} = \text{AAV}$$

**AAV** = Average Assessed Value of adjacent properties involved in vacation. AAV is arrived at by taking the sum of the assessed land values of all properties involved in the vacation and dividing that value by the sum of their areas (result = average cost/square foot of all the properties involved in the vacation).

$$\text{AAV (3) x Area of Road} = \text{*Total Purchase Cost}$$

\*The AAV is multiplied by 3 (assessment = 1/3 fair market value) to arrive a market value of the average assessed value, that figure is then multiplied by the right-of-way area being vacated. The total purchase cost is divided between all property owners involved in the vacation based on the land area each owner is entitled to.

**NOTE: Each adjoining owner of land within the area to be vacated shall have a separate deed of vacation drawn with a legal description for their portion of the vacation.**

**SAMPLE DEED OF VACATION**

THE GRANTOR, COUNTY OF LAKE,, of the County of Lake and State of Illinois, given under the hand of the Plats Officer, CONVEYS And QUIT CLAIMS to

OF THE (City or Village) of the County of Lake and State of Illinois, all interest in the following described Real Estate situated in the County of Lake and in the State of Illinois, to-wit:

**(Give legal description of the portion of the street, alley or portion of subdivision to be vacated and conveyed to you.)**

to the same effect as if same had never been shown on the original plat of said subdivision, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

DATED the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Lake County Plats Officer

STATE OF ILLINOIS    )  
  ) SS  
COUNTY OF LAKE        )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that the COUNTY OF LAKE, under the hand of the Plats Officer of Lake County, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Commission expires \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

MAIL TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### COUNTY CLERK'S CERTIFICATE

NOTE: An original certificate must be submitted for each of the petitioners' property.

STATE OF ILLINOIS )  
COUNTY OF LAKE )

I \_\_\_\_\_, County Clerk of Lake County, Illinois, Do hereby certify that there are no unpaid current general taxes, no delinquent general taxes, no unpaid forfeited taxes, and no redeemable taxes sales against any of the land included in the follow described property:

**(insert legal description here of lot(s) adjacent to street/alley to be vacated)**

I further certify that I have received all statutory fees in connection with the plat.

Given under my hand and seal of the County Clerk of Lake County, Illinois.

This \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
Lake County Clerk